



27 | inform students and employees of the Florida  
 28 | Department of Law Enforcement sexual predator and  
 29 | sexual offender registry website and toll-free  
 30 | telephone number; creating s. 1006.695, F.S.;  
 31 | requiring public colleges, universities, and schools  
 32 | to inform students and employees of the Florida  
 33 | Department of Law Enforcement sexual predator and  
 34 | sexual offender registry website and toll-free  
 35 | telephone number; providing an effective date.  
 36 |

37 | Be It Enacted by the Legislature of the State of Florida:  
 38 |

39 | Section 1. This act may be cited as the "Protecting Our  
 40 | Children and Adults from Sexual Predators Act."

41 | Section 2. Subsection (3) of section 394.913, Florida  
 42 | Statutes, is amended to read:

43 | 394.913 Notice to state attorney and multidisciplinary  
 44 | team of release of sexually violent predator; establishing  
 45 | multidisciplinary teams; information to be provided to  
 46 | multidisciplinary teams.—

47 | (3) (a) The secretary or his or her designee shall  
 48 | establish a multidisciplinary team or teams.

49 | (b) Each team shall include, but need is not be limited  
 50 | to, two licensed psychiatrists or psychologists or one licensed  
 51 | psychiatrist and one licensed psychologist who shall each have  
 52 | experience in or relevant to the evaluation or treatment of

53 persons with mental abnormalities. The department shall provide  
 54 annual training to the members of the multidisciplinary team on  
 55 topics, including, but not limited to, research on sexual  
 56 offenses or offenders, clinical evaluation methods, and the  
 57 civil commitment process. Members of the team who are hired on  
 58 contract are limited to 1-year contracts. Such contracts may be  
 59 renewed. The department shall regularly provide feedback to each  
 60 multidisciplinary team member and formally evaluate annually the  
 61 performance of each member of the multidisciplinary team. Such  
 62 evaluations must include, but need not be limited to, the  
 63 member's:

64 1. Scope of knowledge and understanding of clinical  
 65 research regarding risk factors for sexual deviance and  
 66 recidivism;

67 2. Ability to identify relevant clinical data from review  
 68 of criminal records and other information, including  
 69 recommendations of law enforcement and insights from victim  
 70 advocates; and

71 3. Ability to apply clinical information in a structured  
 72 assessment of both static risk factors and dynamic predictors of  
 73 recidivism.

74 (c) The department shall maintain data on each case on the  
 75 recommendations of the clinical evaluators in their clinical  
 76 evaluations, the final recommendations of the multidisciplinary  
 77 team, the petitions filed by state attorneys, and the results of  
 78 those petitions. The department shall analyze, at least

79 annually, this data to assess inter-rater reliability between  
 80 clinical evaluators and the level of agreement between an  
 81 individual evaluator's recommendation and the multidisciplinary  
 82 team's recommendation for the same individual. The department  
 83 shall also assess trends in multidisciplinary team  
 84 recommendations, state attorneys filings, and the results of  
 85 such filings. The state attorneys shall provide information to  
 86 the department regarding filings and their results as necessary  
 87 to maintain this data.

88 (d) The multidisciplinary team shall assess and evaluate  
 89 each person referred to the team. The department shall  
 90 prioritize the assessment and evaluation of persons referred  
 91 under subsection (1) based upon the person's release date. The  
 92 assessment and evaluation must ~~shall~~ include a review of the  
 93 person's institutional history and treatment record, if any, the  
 94 person's criminal background, and any other factor that is  
 95 relevant to the determination of whether the ~~such~~ person is a  
 96 sexually violent predator.

97 (e) ~~(e)~~ Before recommending that a person meets the  
 98 definition of a sexually violent predator, the person must be  
 99 offered a personal interview. If the person agrees to  
 100 participate in a personal interview, at least one member of the  
 101 team who is a licensed psychiatrist or psychologist must conduct  
 102 a personal interview of the person. If the person refuses to  
 103 fully participate in a personal interview, the multidisciplinary  
 104 team shall ~~may~~ proceed with its recommendation without the a

105 ~~personal~~ interview of ~~the person~~.

106 (f) After all clinical evaluations have been completed,  
 107 the department shall provide to the state attorney a written  
 108 assessment and recommendation as to whether the person meets the  
 109 definition of a sexually violent predator.

110 1. The department must recommend that the state attorney  
 111 file a petition for civil commitment if at least two members of  
 112 the multidisciplinary team determine that the person meets the  
 113 definition of a sexually violent predator.

114 2. When the department determines that a person who has  
 115 received a clinical evaluation does or does not meet the  
 116 definition of a sexually violent predator, the written  
 117 assessment and recommendation shall be sent to the state  
 118 attorney. If the state attorney questions, in writing, the  
 119 determination that the person does or does not meet the  
 120 definition of a sexually violent predator, the multidisciplinary  
 121 team must reexamine the case before a final written assessment  
 122 and recommendation is provided to the state attorney.

123 (g)(d) The Attorney General's Office shall serve as legal  
 124 counsel to the multidisciplinary team.

125 (h)(e)1. After all clinical evaluations have been  
 126 completed, but at least 1 month before the person's scheduled  
 127 release date, if the referral date is at least 90 days before  
 128 the person's scheduled release date, the multidisciplinary team  
 129 shall provide to the state attorney ~~Within 180 days after~~  
 130 receiving notice, there shall be a written assessment and

131 recommendation as to whether the person meets the definition of  
 132 a sexually violent predator ~~and a written recommendation, which~~  
 133 ~~shall be provided to the state attorney.~~ If the referral date is  
 134 less than 90 days before the person's expiration of sentence,  
 135 the multidisciplinary team shall provide to the state attorney a  
 136 written assessment and recommendation as to whether the person  
 137 meets the definition of a sexually violent predator as soon as  
 138 is practicable before the person's expiration of sentence. The  
 139 written recommendation shall be provided by the Department of  
 140 Children and Families ~~Family Services~~ and must ~~shall~~ include the  
 141 written report of the multidisciplinary team.

142 ~~2. Notwithstanding subparagraph 1., in the case of a~~  
 143 ~~person for whom the written assessment and recommendation has~~  
 144 ~~not been completed at least 365 days before his or her release~~  
 145 ~~from total confinement, the department shall prioritize the~~  
 146 ~~assessment of that person based upon the person's release date.~~

147 Section 3. Section 1005.10, Florida Statutes, is created  
 148 to read:

149 1005.10 Sexual predator and sexual offender notification;  
 150 nonpublic colleges, universities, and schools.—Each nonpublic  
 151 college, university, and school shall inform students and  
 152 employees at the school's orientation session and on their  
 153 website of the existence of the Department of Law Enforcement  
 154 sexual predator and sexual offender registry website and the  
 155 toll-free telephone number that gives access to sexual predator  
 156 and sexual offender public information pursuant to s. 943.043.

157 Section 4. Section 1006.695, Florida Statutes, is created  
 158 to read:

159 1006.695 Sexual predator and sexual offender notification;  
 160 public colleges, universities, and schools.-Each public college,  
 161 university, and school shall inform students and employees at  
 162 the school's orientation session and on their website of the  
 163 existence of the Department of Law Enforcement sexual predator  
 164 and sexual offender registry website and the toll-free telephone  
 165 number that gives access to sexual predator and sexual offender  
 166 public information pursuant to s. 943.043.

167 Section 5. This act shall take effect July 1, 2014.